



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Westborough SPE LLC

Debtor

Chapter 7

23-40709-CJP

ORDER

MATTER:

#682 Motion filed by Creditor Lolonyon Akouete to Withdraw Motion to Enforce Compliance Re: 681 Motion filed by Creditor Lolonyon Akouete to Enforce Compliance with Court Order, Request for Status Conference, and Request for Judicial Notice of Procedural Inequities], and Request for Reconsideration of Subpoena Restrictions.

THE "CREDITOR'S MOTION TO WITHDRAW MOTION TO ENFORCE COMPLIANCE AND REQUEST FOR RECONSIDERATION OF SUBPOENA RESTRICTIONS" [ECF NO. 682] (THE "MOTION") FILED BY LOLONYON AKOUE TE IS GRANTED IN PART AND DENIED IN PART AS FOLLOWS.

THE MOTION IS GRANTED AS TO THE REQUEST TO WITHDRAW MR. AKOUE TE'S "MOTION TO ENFORCE COMPLIANCE WITH COURT ORDER, REQUEST FOR STATUS CONFERENCE, AND REQUEST FOR JUDICIAL NOTICE OF PROCEDURAL INEQUITIES" [ECF NO. 681] AND ECF NO. 681 IS WITHDRAWN.

THE BALANCE OF RELIEF REQUESTED IN THE MOTION, INCLUDING A REQUEST TO RECONSIDER THE ORDER ENTERED ON APRIL 16, 2025 AFTER A HEARING ON MR. AKOUE TE'S MOTION TO COMPEL COMPLIANCE WITH SUBPOENA [SEE ORDER AT ECF NO. 649], IS DENIED.

AS PREVIOUSLY STATED BY THE COURT AT PRIOR HEARINGS, IT APPEARS THAT THE INTERNAL CONSIDERATION AND ASSESSMENT BY THE STATE OF CALIFORNIA CONTROLLER'S OFFICE OF THE UNCLAIMED FUNDS CLAIM IS NOT RELEVANT TO THIS COURT'S DETERMINATION OF THE OBJECTION TO MR. AKOUE TE'S CLAIM. COMMUNICATIONS WITH PETER BLAUSTEIN AND OTHER THIRD PARTIES COULD BE RELEVANT AND WERE ORDERED TO BE PRODUCED. MR. AKOUE TE APPEARS TO BELIEVE THAT NON-PRIVILEGED RESPONSIVE DOCUMENTS HAVE NOT BEEN

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PRODUCED BASED ON WHAT APPEARS TO BE A STATEMENT IN A THIRD-PARTY EMAIL THAT PETER BLAUSTEIN WAS "IN CONTACT" WITH UNCLAIMED PROPERTY DIVISION. MR. AKOUE TE ATTACHES COPIES OF THE DOCUMENTS PRODUCED, WHICH INCLUDE THE OFFICE OF THE CONTROLLER'S DECLARATION OF THE CUSTODIAN OF THE RECORDS THAT CONFIRMED THE DOCUMENTS PRODUCED INCLUDED COPIES "OF ANY THIRD-PARTY COMMUNICATIONS OR SUBMISSIONS BETWEEN JANICE BLAUSTEIN SHOLES, AND ANY ON BEHALF OF MS. BLAUSTEIN SHOLES, AND THE CALIFORNIA STATE CONTROLLER'S OFFICE THAT ARE IN THE CALIFORNIA STATE CONTROLLER'S OFFICE POSSESSION AND CONTROL."

WHILE THE BASIS FOR A DISCOVERY CONFERENCE IS TENUOUS, THE COURT WILL CONSTRUE THE PRIVILEGE LOG REQUEST IN THE MOTION AS A REQUEST FOR A DISCOVERY CONFERENCE AND WILL SCHEDULE A DISCOVERY CONFERENCE AT WHICH THE COURT COULD CONSIDER THE NECESSITY OF A PRIVILEGE LOG AND THE BURDEN ON THE THIRD-PARTY WITNESS.

ONCE THE DISCOVERY CONFERENCE IS SCHEDULED, MR. AKOUE TE SHALL SERVE NOTICE OF THE CONFERENCE AND A COPY OF THIS ORDER ON THE CALIFORNIA STATE CONTROLLER'S OFFICE AND SHALL FILE A CERTIFICATE OF SERVICE REFLECTING THAT SUCH SERVICE HAS BEEN MADE.

[Dated: 05/09/2025](#)

By the Court,

A handwritten signature in black ink, appearing to read "Christopher J. Panos", written over a horizontal line.

Christopher J. Panos
United States Bankruptcy Judge